

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STEPHEN HARRISON COCKBURN)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 10-1407
)	
NATIONAL BOARD OF MEDICAL EXAMINERS)	
)	
Defendant)	

PLAINTIFF’S MOTION FOR LEAVE TO FILE A SURREPLY

The Court issued a scheduling order on September 9, 2010. The Defendant filed a Motion for Summary Judgment on February 7, 2011. The Plaintiff filed a Response to the Motion for Summary Judgment on February 14, 2011. The Defendant filed a Reply to the Plaintiff’s Response to the Motion for Summary Judgment on February 17, 2011.

The Plaintiff hereby respectfully moves this Court for leave to file a Surreply Brief pursuant to Local R. 7.1(c), which provides that the Court “may require or permit further briefs or submissions if the Court deems it appropriate,” and requests leave to file a Surreply for reasons stated in the Surreply Brief, attached as an exhibit hereto. See Exhibit 1, Plaintiff’s Surreply to the Defendant’s Reply to the Plaintiff’s Response in Opposition to the Motion for Summary Judgment.

The Plaintiff respectfully requests that the Court grant this Motion, and that the attached brief be docketed in this matter. A Proposed Order is attached.

RESPECTFULLY SUBMITTED,

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DATED: February 24, 2011

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed electronically and is available for viewing and downloading from the ECF system. Counsel of record for the Defendant were served through the Court's electronic case filing system.

/s/ James F. Silver